

PTO/SB/30(08-00)

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**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.Application No. 09/454,164Filing Date November 17, 1999First Named Inventor Anders Grunnet-Jepsen, et al.Group Art Unit 2633Examiner Name Phan, H.Attorney Docket No. 42390.P13950**RECEIVED****SEP 06 2002****Technology Center 2600****1. Submission required under 37 C.F.R. § 1.114**a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37. C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____iii. ☐ Other _____b. ☒ Enclosedi. ☒ Amendment/Reply

09/04/2002 SSESHE1 00000107 09454164

ii. ☐ Affidavit(s)/Declaration(s)iii. ☐ Information Disclosure Statement (IDS) 01 FC:179

740.00 DP

iv. ☒ Other: Amendment Transmittalv. ☐**2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)b. ☐ Other _____**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Actioniv. ☐ Other _____b. ☒ Check in the amount of \$ 740.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**Name (Print/Type) Lawrence E. LyckeRegistration No. (Attorney/Agent) 38,540Signature Lawrence E. LyckeDate 8/22/02**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Paige A. JohnsonSignature Paige A. JohnsonDate August 22, 2002



RCE/2700
#

Attorney's Dock 42390.P13950

Patent

In re the Application of: Anders Grunnet-Jepson, et al.
(inventor(s))

Application No.: 09/454,164

Filed: November 17, 1999

For: CODE-BASED OPTICAL NETWORKS, METHODS AND APPARATUS
(title)

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SIR: Transmitted herewith is an Amendment for the above application.

Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

X No additional fee is required for presentation of extra claims.

X Request for Continued Examination Transmittal

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	* 24	Minus	** 24	0
Indep. Claims	* 8	Minus	*** 15	0
First Presentation of Multiple Dependent Claim(s)				

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

SMALL ENTITY	
Rate	Additional Fee
X9	\$
X39	\$
+130	\$
Total Add. Fee	\$

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
X18	\$ 0.00
X78	\$ 0.00
+260	\$
Total Add. Fee	\$ 0.00

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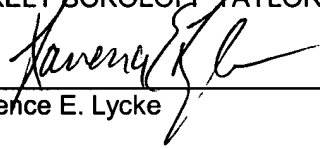
on August 22, 2002

Paige A. Johnson Date of Deposit
Paige A. Johnson Name of Person Mailing Correspondence
Paige A. Johnson Signature August 22, 2002 Date

_____ A check in the amount of \$ _____ is attached for presentation of additional claim(s).
_____ Applicant(s) hereby Petition(s) for an Extension of Time of ____ month(s) pursuant to 37 C.F.R. §
1.136(a) and a check in the amount of \$110.00 is attached hereto.
 X A check in the amount \$740.00 is attached hereto for Request for Continued Examination
(RCE).
_____ A check for \$ _____ is attached for processing fees under 37 C.F.R. § 1.17.
_____ Please charge my Deposit Account No. 02-2666 the amount of \$ _____.
A duplicate copy of this sheet is enclosed.
 X The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the
following fees associated with this communication or credit any overpayment to Deposit Account
No. 02-2666 **(a duplicate copy of this sheet is enclosed):**
 X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of
extra claims.
 X Any extension or petition fees under 37 C.F.R. § 1.17.

Date: 8/22/02
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